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PTO/SB/21 (08-03)

Approved for use through 07/31/06. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | | | |
|-------------------------------------------------|-----------------------------|-------------------------------|------------------------|
| Application Number | 10/692,393 | | |
| | Filing Date | October 23, 2003 | |
| | First Named Inventor | Daniel J. Calanni et al. | |
| | Group Art Unit | 3753 | |
| | Examiner Name | Allen J. Flanigan | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 200-65900 (2003-00762) |

ENCLOSURES (check all that apply)

| | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Fee Attached (check for \$180) <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final (Response) <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement, Form PTO-1449 and 1 reference <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard Certificate of Mailing |
| Remarks | | Please charge any necessary fees or credit overpayment to Deposit Account No. 502305. A duplicate copy of this transmittal is attached for this purpose. |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|--------------------------------|------------------------------------|
| Firm or Individual name | Mark C. Pickering, Reg. No. 36,239 |
| Signature | |
| Date | April 11, 2005 |

CERTIFICATE OF EXPRESS MAILING

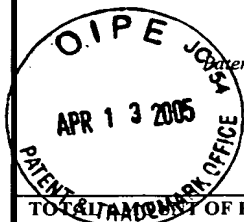
| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: M/S Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: April 11, 2005 | | | |
| Typed or printed name | Robin L. King | | |
| Signature | | Date | April 11, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FEE TRANSMITTAL

For FY 2005

Patent Fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT \$180

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge any fees or credit any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 502305

LAW OFFICES OF MARK C. PICKERING

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. FILING FEE/SEARCH FEE/EXAMINATION FEE

| LARGE ENTITY | | SMALL ENTITY | | | |
|----------------|----------|----------------|----------|-----------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| 1011/1111/1311 | 1000 | 2011/2111/2311 | 500 | Utility | |
| 1012/1112/1312 | 430 | 2012/2112/2312 | 215 | Design | |
| 1013/1113/1313 | 660 | 2013/2113/2313 | 330 | Plant | |
| 1014/1114/1314 | 1400 | 2014/2114/2314 | 700 | Reissue | |
| 1005 | 200 | 2005 | 100 | Provisional | |
| SUBTOTAL (1) | | | | | 0 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Extra Claims | Fee from below | Fee Paid |
|---------------|-----------|--------------|----------------|----------|
| Total Claims | * - 20 ** | = 0 | x 50 | = \$ 0 |
| Independent | * - 3 | = 0 | x 200 | = \$ 0 |
| Multiple Dep. | | | * | = \$ 0 |

** or number previously paid, if greater; for Reissues, see below:

| Large Entity | | Small Entity | | |
|--------------|----------|--------------|----------|------------------------------------------------------------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
| 1202 | 50 | 2202 | 25 | Claim in excess of 20 |
| 1201 | 200 | 2201 | 100 | Independent claims in excess of 3 |
| 1203 | 360 | 2203 | 180 | Multiple dependent claim, if not paid |
| 1204 | 200 | 2204 | 100 | ** Reissue ind. claims over original patent |
| 1205 | 50 | 2205 | 25 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) \$0

SUBMITTED BY

Law Offices of Mark C. Pickering
P.O. Box 300
Petaluma, CA 94953-0300
Telephone: (707) 762-5583
Facsimile: (707) 762-5504
Customer No. 33402

Complete if Known

| | |
|-----------------------|--------------------------|
| Application Number | 10/692,393 |
| Filing Date | October 23, 2003 |
| First Named Inventor | Daniel J. Calanni et al. |
| Examiner Name | Allen J. Flanigan |
| Group Art Unit | 3753 |
| Attorney Document No. | 200-65900 (2003-00762) |

FEE CALCULATION (continued)

| 3. Additional Fees | | | | |
|--------------------|------|--------------|------|----------------------------------------------------------------------------|
| Large Entity | | Small Entity | | |
| Fee Code | | Fee Code | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet |
| 1053 | 130 | 1053 | 130 | Non-English specification |
| 1812 | 2520 | 1812 | 2520 | For filing a request for ex parte reexamination |
| 1804 | 920 | 1804 | 920 | Requesting publication of SIR prior to Examiner action |
| 1805 | 1840 | 1805 | 1840 | Requesting publication of SIR after Examiner action |
| 1251 | 120 | 2251 | 60 | Extension for reply within first month |
| 1252 | 450 | 2252 | 225 | Extension for reply within second month |
| 1253 | 1020 | 2253 | 510 | Extension for reply within third month |
| 1254 | 1590 | 2254 | 795 | Extension for reply within fourth month |
| 1255 | 2160 | 2255 | 1080 | Extension for reply within fifth month |
| 1401 | 500 | 2401 | 250 | Notice of Appeal |
| 1402 | 500 | 2402 | 250 | Filing a brief in support of an appeal |
| 1403 | 1000 | 2403 | 500 | Request for oral hearing |
| 1451 | 1510 | 1451 | 1510 | Petition to institute a public use proceeding |
| 1452 | 500 | 2452 | 250 | Petition to revive-unavoidable |
| 1453 | 1500 | 2453 | 750 | Petition to revive-unintentional |
| 1501 | 1400 | 2501 | 700 | Utility issue fee (or reissue) |
| 1502 | 800 | 2502 | 400 | Design issue fee |
| 1503 | 1100 | 2503 | 550 | Plant issue fee |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) |
| 1809 | 790 | 2809 | 395 | Filing a submission after final rejection (37 CFR 1.129(a)) |
| 1810 | 790 | 2810 | 395 | For each additional invention be examined (37 CFR 1.129(b)) |
| 1801 | 790 | 2801 | 395 | Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application |

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) \$180

Date: 4-11-05

By:

Mark C. Pickering, Reg. No. 36,239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of

Daniel J. Calanni et al.

Application No. 10/692,393

Filed: October 23, 2003

For: HEAT EXCHANGER WITH INCREASED
HEAT TRANSFER EFFICIENCY AND A
LOW-COST METHOD OF FORMING THE
HEAT EXCHANGER

Group Art Unit: 3753

Examiner: Allen J. Flanigan

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith information of which applicants are aware, which applicants believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, postage prepaid, in an envelope, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 04-11-05.

Dated: April 11, 2005 By: Debra D. King

04/13/2005 SFELEKE1 00000003 10692393

01 FC:1806

180.00 GP

(d) ☒ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

(e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

(f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

(g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publications(s) is set forth on the attached Form PTO-1449 (Modified). A copy of the items on PTO-1449 (Modified) is supplied herewith:

(h) ☐ each

(i) ☐ none

(j) ☒ only those listed below:

JP 58145891 A (Hashimoto, Michitaka)

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they:

☐ were previously cited by or submitted to the Office in a prior application no. _____ filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120 or

☒ are hereby waived pursuant to 37 CFR 1.98 (a)(2)(i) for all U.S. national patent applications filed after June 30, 2003.

A concise explanation of relevance of the described above and attached information is:

(k) ☒ not given

- (l) ☐ given for each listed item
- (m) ☐ given for only non-English language listed item(s) [Required]
- (n) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

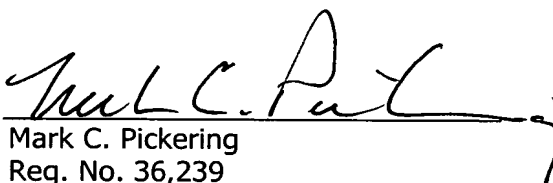
While the information disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that the information referred to is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the above-described and attached information.

Respectfully submitted,

Dated: 4-11-05

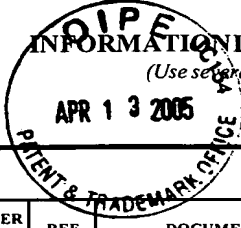
By:


Mark C. Pickering
Reg. No. 36,239

Attorney for Assignee

Atty. Docket No: 200-65900 (2003-00762)

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| | | | | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------------------|-----------------|-----------------------------------------------------------|-----------------|-----------------------------------------|-------------------------------|----|
|  <p>INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p> | | | | Docket Number (Optional) 200-65900 (2003-00762) | | Application Number 10/692,393 | | |
| | | | | Applicant(s) Daniel J. Calanni et al. | | | | |
| | | | | Filing Date October 23, 2003 | | Group Art Unit 3753 | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | | *4,386,651 | 06/07/83 | Reinhard | 165 | 104.33 | 10/23/81 | |
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| U.S. PATENT APPLICATION PUBLICATIONS | | | | | | | | |
| *EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | | *2002/0170706 A1 | 11/21/02 | Hosokawa et al. | 165 | 164 | 03/28/02 | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
| | | JP 58145891 A | 08/31/83 | Japan | F28F | 03/08 | YES | NO |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| EXAMINER | | | | | DATE CONSIDERED | | | |
| <p>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> | | | | | | | | |